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Rabindranath Dutta

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EXAMINER

AMINI, JAVID A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/583,346	Applicant(s) DUTTA, RABINDRANATH	
	Examiner JAVID A. AMINI	Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8, 11, 12, 14-17, 20, 21, 23-26 and 28-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-8, 11-12, 14-17, 20-21, 23-26, 28-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed 3/22/2010 have been fully considered but they are not persuasive.

Applicant on page 7 regarding the rejection of 112 1st paragraph of the remarks argues that the Examiner rhetorically asking questions, while on page 8 line 23 of the specification indicates the desired information.

Examiner believes “analyzing the data page” that recited in independent claim 28 is very important to one of ordinary skill in the art to understand the techniques, procedure by which the analysis of the data page is accomplished. Paragraph below is copied and pasted section of the specification that Applicant indicated for the desired information:

It is important to note that while the present invention has been described in the context of a fully functional data processing system and/or network, those skilled in the art will appreciate that the mechanism of the present invention is capable of being distributed in the form of a computer usable medium of instructions in a variety of forms, and that the present invention applies equally regardless of the particular type of signal bearing medium used to actually carry out the distribution. Examples of computer usable mediums include: nonvolatile, hard-coded type mediums such as read only memories (ROMs) or erasable, electrically programmable read only memories (EEPROMs), recordable type mediums such as floppy disks,

Contrary, Examiner requests concisely the nature of the “analyzing the data page”. Because the dimensions of the display area are different from each other (e.g., rectangular shape) what is/are the procedure(s) for the first/second orientations?

Regarding the arguments for “a computer-readable storage medium”, page 8 lines 29-30 of the specification recited “a computer usable medium” not “a computer-readable storage medium”, on the other hand, if Applicant equates the computer usable medium with the

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computer-readable medium, then on the same page lines 25-27 recited the computer usable medium is in form of the particular type of signal.

The following limitations of the independent claims that contained “analyzing the data page” must be clearly explained in detail in view of specification. Can fig. 1 of the current invention be considered as “a computer-readable storage medium”?

The rejection under the first paragraph of 35 U.S.C. 112 is still maintained.

Applicant on page 9 of the remarks argues regarding the art rejection that the combination of Register and Reber do not teach any analysis of a data page to determine the orientation of display for the data page.

Examiner believes in view of steps in the claimed invention (e.g., claim 28) the prior art Register in figs. 4-5 teaches the steps of the claim, because the display screen image #26 of fig. 4 is displayed in a second orientation (see fig. 5 #52), and this would have been obvious to one of ordinary skill in the art to equate as analyzing the data page i.e. the display screen image #26 of fig. 4 into #52 of fig. 5.

Suggestion: In view of Applicant's remarks, Examiner believes the claim invention is broad and there is no where indicated the portable device does not have to physically change the orientation in order to obtain the second orientation.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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Claims 2-8, 11-12, 14-17, 20-21, 23-26, 28-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims 29-30 contain subject matter “analyzing the data page” which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The added new claims 31-33 contain analyzing a line width of textual content, but the analysis of the line width is not clear how is done. e.g., the line width contains letters of alphabet, how does it work with different font sizes? What if the data page is a picture?

All dependent claims are rejected with the same reasons as set forth in their independent claims 28-30.

Claims 20-21, 23-26 30 and 33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter “a computer-readable medium” which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Dependent claims 20-21, 23-26 and 33 are rejected with the same reasons as set forth in claim 30.

The following limitations of the independent claims that contained “analyzing the data page” must be clearly explained in detail in view of specification. Can fig. 1 of the current invention be considered as “a computer-readable storage medium”?

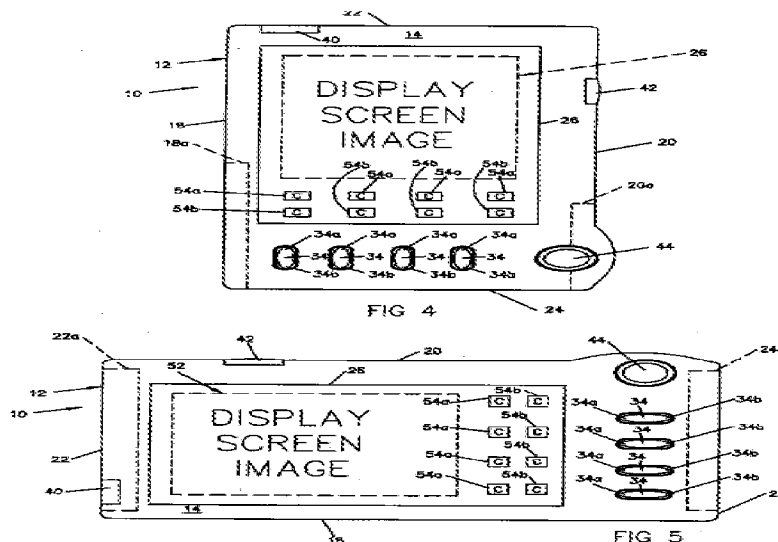
Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8, 11-12, 14-17, 20-21, 23-26, 28-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Register 5661632, and further in view of Reber et al. 6453173, hereinafter Reber.

28. Register teaches a method for displaying data on a portable device having a display that is significantly larger in a first dimension than in a second dimension, said method comprising the steps of: see figs. 4-5 i.e. self explanatory, below:



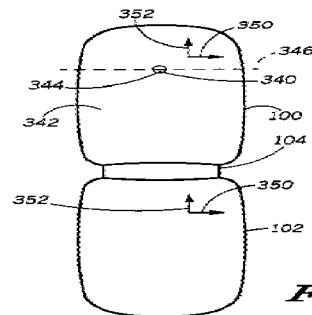
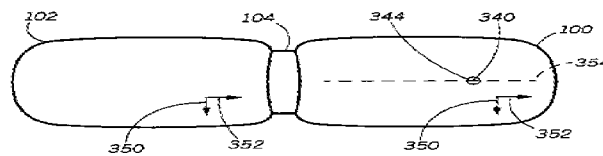
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Register teaches receiving a data page in the portable device #22 from input output #116, 112 and 110 PCMCIA, the data page is the data that displayed on display area; Register teaches the portable device analyzing the data page to determine an orientation for presentation of the data page relative to the first and second dimensions of the display; and the portable device automatically displaying the data page in a first orientation within the display in response to determining the first orientation and the portable device automatically displaying the data page in a second orientation within the display in response to determining the second orientation, see figs. 4-5 above, they are self explanatory (i.e. Examiner believes in view of steps in the claimed invention (e.g., claim 28) the prior art Register in figs. 4-5 teaches the steps of the claim, because the display screen image #26 of fig. 4 is displayed in a second orientation (see fig. 5 #52), and this would have been obvious to one of ordinary skill in the art to equate as analyzing the data page i.e. the display screen image #26 of fig. 4 into #52 of fig. 5), but Register does not teaches automatically displaying the data page in a first and a second orientations within the display.

Reber teaches automatically displaying the data page in first and second orientations within the display. Reber at col. 13 lines 4-10 discloses the embodiment described with reference to FIGS. 9 and 10 is advantageous in automatically varying the scanning axis of the light beam in dependence upon the orientation of the handheld device. Regardless of whether the handheld device is oriented to display content in a portrait mode (FIG. 9) or in a landscape mode (FIG. 10), the light beam is scanned horizontally to read horizontally-oriented bar codes, see col. 13 lines 4-10.

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**FIG. 9****FIG. 10**

Thus it would have been obvious to one of ordinary skill in the art to modify the teachings of Reber's light beam into Register's toggle switches in order automatically varying an axis of a scanning light beam in dependence upon an orientation of the handheld device.

Claim 29 is rejected with similar reasons as set forth in claim 28, above.

Claim 30 is rejected with similar reasons as set forth in claim 28, above. Except the computer program product and a computer-readable storage medium, Register teaches a hard disk #114 in fig. 6; Register teaches instructions embodied within the storage medium that cause the portable data processing device to receive the data page within the portable data processing device, see flow chart of a software of fig. 7, the rest of the features are similar to features of claim 28, see above.

2. The method of claim 28, wherein the data page is received over a wireless connection, Register in fig. 4 illustrates a PDA that contains a wireless connection.

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3. The method of claim 28, wherein the second orientation is a ninety-degree rotation of the first orientation, Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

4. The method of claim 28, wherein the device comprises a display that is significantly larger in a first dimension than in a and second direction dimension are orthogonal to the first dimension, Register in fig. 4 illustrates a PDA.

5. The method of claim 28, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the method further comprises the portable device redisplaying the data page is redisplayed in the other of the first and second orientations in response to a user input, Register in figs. 4-5 illustrates a PDA.

6. The method of claim 28, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the method further comprises the portable device automatically redisplaying the data page is redisplayed in the other of the first and second orientations after a preset duration, it would have been obvious to skilled in the art to recognize that Register and Reber 's handheld devices redisplaying the data page in both orientations and of course there should be a delay period between the two orientations.

7. The method of claim 28, wherein in the portable device is a wireless telephone, Register in figs. 4-5 illustrates a PDA.

8. The method of claim 28, wherein the portable device is a personal digital assistant, Register in figs. 4-5 illustrates a PDA.

11. The portable data processing system of claim 29, wherein the data page is received over a wireless connection, Register in fig. 4 illustrates a PDA that contains a wireless connection.

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12. The portable data processing system of claim 29, wherein the second orientation is a ninety-degree rotation of the first orientation, Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

14. The portable data processing system of claim 29, wherein: the portable data processing system initially displays the data page in one of the first and second orientations; and instruction further cause the data processing system to redisplay the data page in the other of the first and second orientations in response to a user input Register in figs. 4-5 illustrates a PDA.

15. The portable data processing system of claim 29, wherein: the data page is initially displayed by the portable data processing system in one of the first and second orientations: the instruction further cause the data processing system to automatically redisplay the data page in the other of the first and second orientations after a preset duration, it would have been obvious to skilled in the art to recognize that Register and Reber 's handheld devices redisplaying the data page in both orientations and of course there should be a delay period between the two orientations.

16. The data processing system of claim 29, wherein the portable data processing system is a wireless telephone, Register in fig. 4 illustrates a PDA that contains a wireless connection.

17. The data processing system of claim 29, wherein the portable data processing system is a personal digital assistant, Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

20. The computer program product of claim 30, wherein the data page is received over a wireless connection, Register in fig. 4 illustrates a PDA that contains a wireless connection.

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21. The computer program product of claim 30, wherein the second orientation is a ninety-degree rotation of the first orientation Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

23. The computer program product of claim 30, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the computer program product further includes instructions that cause the portable data processing device to redisplay the data page in the other of the first and second orientations in response to a user input, the computer program is illustrated in fig. 7 of Register.

24. The computer program product of claim 30, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the computer program product further includes instructions that cause the portable data processing device to automatically redisplay the data page is redisplayed in the other of the first and second orientations after a preset duration. it would have been obvious to skilled in the art to recognize that Register and Reber 's handheld devices redisplaying the data page in both orientations and of course there should be a delay period between the two orientations.

25. The computer program product of claim 30, wherein the portable device is a wireless telephone Register in fig. 4 illustrates a PDA that contains a wireless connection.

26. The computer program product of claim 30, wherein the portable device is a personal digital assistant Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claims 31-33 are rejected under 112 1st paragraph above, because they contained a subject matter that is not described in detail in the specification “analyzing a line width of textual

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content”, but the analysis of the line width is not clear how is done. e.g., the line width contains letters of alphabet, how does it work with different font sizes? What if the data page is a picture?

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAVID A. AMINI whose telephone number is (571)272-7654. The examiner can normally be reached on 7-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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